APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,212	09/22/2000	Patrick Callaghan	EN999068	9821

			EXAMINER
30743	7590	09/13/2004	PAULA, CESAR B

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/668,212	CALLAGHAN ET AL.
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 June 2004</u> .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-16</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to the amendment filed on 6/4/2004.

This action is made Final.

2.   In the amendment, claims 1-16 are pending in the case. Claim 1 is an independent claim.

Drawings

3.   The drawings filed on 9/22/2000 have been approved by the examiner.

Information Disclosure Statement

4.   The information disclosure statement (IDS) submitted on 9/22/2000 has been entered, and considered by the examiner.

Claim Rejections - 35 USC § 112

5.   Appropriate correction has been made to claim 10. Therefore, the 35 USC 112 rejections of claims 10-16 have been withdrawn.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-4, and 6-16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over

Uppaluru (Pat. # 6,400,806 B1, 6/4/2002, filed on 4/5/1999).

Regarding independent claim 1, Uppaluru discloses the use of a conventional browser,

which is modified with appropriate voice information extensions using HVML (Hyper Voice

Markup Language)—*mutimodal browser*-- for displaying and playing web pages, such as web

forms—*visually, and audibly navigating forms*. Using tags, a user can also supply input, such as

spoken alphabet, and digit, keyword, proper names, and free-form voice information input into

HVML forms, for the purpose of filling in these forms-- *navigating form fields* (col.6, lines 53-

57, col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14).

Moreover, Uppaluru discloses a user's web browser for accessing, and navigating forms

requested, and supplied from a server over the Internet (col.8, line 2-col.9, line 6).

Moreover, Uppaluru discloses prompting for the input of information into a web page,

such as a calendar form using the conventional browser. The input originates from a mouse,

microphone, etc.—*verbal or tactile* (col.8, line 2-col.9, line 6, col.12, lines 20-67).

Furthermore, Uppaluru discloses prompting for the input of information into a web page,

such as a calendar form (day, month, year information), business white pages form (company

name, city, state code information), using the conventional browser, and input from mouse,

microphone, etc.—*verbal or tactile* (col.8, line 2-col.9, line 6, col.10, lines 34-67, col.12, lines

col.12, lines 6-67). Uppaluru fails to explicitly teach the *moving to another form field requiring user provided input either after a current form field has been filled in by the user or the user selects by verbal or tactile interaction another form field*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have moved from one field to another, because Uppaluru teaches above the filling in of forms by providing requested user input, which provides the benefit of supplying information necessary to quickly, and smoothly retrieve web pages from the web server using voice and/or visual input.

Regarding claim 2, which depends on claim 1, Uppaluru teaches the inputting of a company's partial information, such as company name, city, state code information, into the voice web forms, and retrieving the company's complete information using response pages, which are presented as a result of the partial submission of information (col. 10, lines 34-col.11, line 14, col.12, lines 11-67). In other words, once the form is filled in it is submitted to the server, and the complete information is retrieved and sent within a presentation page.

Regarding claim 3, which depends on claim 1, Uppaluru discloses a voice form prompting—*reading aloud*-- for the input of information—*heading*-- into a web page form, such as a calendar form using the conventional browser, and inputs from mouse, microphone, etc. (col.8, line 2-col.9, line 40, col.12, lines 20-67).

Regarding claim 4, which depends on claim 3, Uppaluru discloses the entering of a "REVIEW" —*command*-- selection for reviewing form values within a voice form (col.25, lines 61-67).

Regarding claim 6, which depends on claim 1, Uppaluru discloses the web browser responds to user's voice command by matching them with personalized vocabulary—*the browser responds to one or more verbal commands* (col.8, line 2-col.9, line 6, col.10, lines 34-67, col.12, lines 6-67, col.18, lines 29-50).

Regarding claim 7, which depends on claim 6, Uppaluru discloses the entering of a "SKIP"—*command*-- selection for skipping a form value within a voice form (col.25, lines 61-67, col.8, lines 63-67).

Moreover, Uppaluru discloses the entering of a "REVIEW" —*command*-- selection for reviewing form values within a voice form (col.25, lines 61-67). Uppaluru fails to explicitly teach *a command that directs the browser to review the form to ensure that all fields contain information*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have reviewed the form to ensure information was present in all fields, because Uppaluru teaches above the reviewing of all the values in a voice form, which provides the benefit of supplying appropriate information in the forms so as to retrieve information using the form without incurring an error, which would also save time needed in refilling the wrong values in the form.

Moreover, Uppaluru discloses the entering of a "submit" —*command*-- selection for submitting the form to a server (col.25, lines 50-67.).

Further, Uppaluru discloses the entering of a "reset" —*command*-- selection for reverting to the original default values of the form—*canceling information currently within a field* (col.25, lines 46-67).

Furthermore, Uppaluru discloses the entering of a "reload" —*command*-- selection for reloading a form (col.25, lines 46-67). Uppaluru fails to explicitly teach *a command that directs the browser to clear the from and reprocess it*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to reprocess the reloaded form, because Uppaluru teaches above the submitting of information to a server, which provides the benefit of supplying a form in accordance to a user's input, so as to provide the correct information to the server.

Regarding claim 8, which depends on claim 1, Uppaluru discloses a voice form for guiding a user step by step—*default mode in which order in which they are presented on the form*-- on supplying needed information (col.21, lines 7-67, col.23, lines 50-60).

Regarding claim 9, which depends on claim 1, Uppaluru discloses a "PAUSE TIMEOUT" tag which allows the browser to pause until the user inputs or a set time period elapses (col.24, lines 56-67). Uppaluru fails to explicitly teach *prompting the user for input by the browser after a specified time period if the user has not responded to an earlier prompt.* However, it would have been obvious to a person of ordinary skill in the art at the time of the

invention to prompt the user again for input, because Uppaluru teaches above termination of

input standby if the time expires, so when an input is mandatory for the field, this combination

would provide the benefit of obtaining the mandatory input, and avoiding error triggered by not

having all the necessary input.

Regarding claim 10, which depends on claim 1, Uppaluru discloses a web browser voice

output—*audio queue*-- for playing voice strings in the order they are found in a web page (one

right after the other) —*prompting and moving through web page*--, and using commands for

terminating or exiting the processing of the tag (col.23, lines 39-67, col.24, lines 53-67).

Regarding claim 11, which depends on claim 10, Uppaluru discloses a web browser voice

output —*audio queue*-- for playing voice strings—*text to be spoken*-- in the order they are found

in a web page (one right after the other) (col.23, lines 39-67).

Regarding claim 12, which depends on claim 10, Uppaluru discloses a web browser voice

output —*audio queue*-- for playing voice strings in the order they are found in a web page (one

right after the other). The "welcome" tag indicates entry to the form, and the "<VoiceString>"

indicates an exit of the form (col.10, lines 34-67, col.23, lines 39-67).

Regarding claim 13, which depends on claim 10, Uppaluru discloses a web browser voice

output —*audio queue*-- for playing voice strings in the order they are found in a web page (one

right after the other). The "TERMINATE" attribute indicates exit from a form field or element (col.10, lines 34-67, col.23, lines 39-67).

Regarding claim 14, which depends on claim 10, Uppaluru discloses a web browser voice output —*audio queue*-- for playing voice strings in the order they are found in a web page (one right after the other). The "PAUSE TIMEOUT" attribute for pausing indefinitely (if a value is 0) for a user until an input is made—*interruptible pause to the audio* (col.10, lines 34-67, col.23, lines 39-67).

Regarding claim 15, which depends on claim 10, Uppaluru discloses a web browser voice output —*audio queue*-- for replaying voice strings in the web page using a "reload" command—*repositioning of the audio queue* (col.10, lines 34-67, col.23, lines 53-67).

Regarding claim 16, which depends on claim 15, Uppaluru discloses a web browser voice output —*audio queue*-- for replaying voice strings in the web page using a "reload" command, which replays the page starting at the beginning (col.10, lines 34-67, col.23, lines 53-67). In other words if the page is half-way done and the user selects the reload command, then the voice output will start the reading of the web page starting over at the beginning —*loop back and repeat part of the audio queue.*

8.	Claim 5 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru, in view of Goldhor (Pat. # 5,101,375, 3/31/1992).

Regarding claim 5, which depends on claim 3, Uppaluru discloses the use of a

conventional browser, which is modified with appropriate voice information extensions using

HVML (Hyper Voice Markup Language)—*mutimodal browser*-- for displaying and playing web

pages, such as web forms. Using tags, a user can also supply input, such as spoken alphabet, and

digit, keyword, proper names, and free-form voice information input into HVML forms for

filling in these forms (col.6, lines 53-57, col.8, line 2-col.9, line 6, col.10, line 34-col.11, line

14). Uppaluru fails to explicitly teach *typing into the form fields words responsively spoken by*

the user. However, Goldhor teaches a speaker inserting words into spaces of a report form (col.1,

lines 26-67, col.3, lines 4-67, fig.1-2). It would have been obvious to a person of ordinary skill in

the art at the time of the invention to combine Uppaluru, and Goldhor, because Goldhor teaches

providing the benefit of having much more details, using the speech system, than ordinary forms

(col.4, lines 1-21).

Response to Arguments

9.   Applicant's arguments filed 6/4/2004 have been fully considered but they are not

persuasive. In response to applicant's argument that the references fail to show certain features

of applicant's invention, it is noted that the features upon which applicant relies (i.e., "This

allows any Internet page to be accessed, translated by the method of the subject invention and

presented to a user" page 6, lines 24-page 7, line 2) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding claim 2, applicants indicate that Uppaluru doesn't teach the exiting of a form after the user has supplied input for all the required fields (page 7, lines 17-23). The examiner disagrees, because Uppaluru teaches the submission of web forms, which include data such as calendar and appointment information, into a database for retrieving information (col.10, lines 34-54, 63-col.11, line 11). In this instance, the form is filled in, and then it is submitted to the database for retrieving data. This means that the form is submitted or exited, once the form has been filled in, and sent to the database.

Further, applicants indicate that claim 2 does not limit the forms to those used by Uppaluru (page 7, lines 22-23). The examiner disagrees, because this claim recites the exiting of a form. It is not specific as to what type of form is being used. Therefore, the web forms taught by Uppaluru teach the forms recited in this claim.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "The subject invention does not require authentication, does not limit the user to voice web specific pages, and does not require a user to have a prepared user profile in order to access the Internet" page 6, lines 24-page 7, line 2) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the

claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). There is no authentication or user profile recited in the claims in question.

Regarding claims 3-4, and 6-7, applicants remark that the invention does not limit access to specific voice web pages or require user specific training, and voice patterns (page 8, lines 5-19). These arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicants are referring to the invention in general terms, and do not specify how Uppaluru fails to teach the claimed invention.

Regarding claim 8, applicants state that since the invention is not limited by user of personal profile or other predefined prompts, it is not obvious to provide guidance in a step by step or default order (page 8, lines 26-28). The examiner disagrees, because Uppaluru teaches the playing of each voice component or field in a web voice form, in a sequence (col.23, lines 50-60, col.21, lines 7-36). In other words, the browser plays each form element or field in a sequential order starting at the top of the page (order presented), and ending at the bottom just as it is claimed in this claim.

Regarding claim 9, applicants state that since Uppaluru does not teach the guidance prompts of claim 8, and therefore is not obvious to teach a prompt after a specified amount of

time (page 9, lines 1-5). As pointed out above, Uppaluru teaches the step by step guidance of

claim 8.

Regarding claims 10-16, applicants state that examiner argues that the audio queue is the

same as the voice strings of Uppaluru (page 9, lines 6-16). The examiner stated the following:

"Uppaluru discloses a web browser voice output--audio queue-- for playing voice strings in the

order they are found in a web page (one right after the other) .... (col.23, lines 39-67, col.24,

lines 53-67)" (office action mailed on 4/21/04, page 9, lines 7-10). As pointed out above, it is

the web browser, which contains the voice strings to be played, that comprises the audio queue,

and not the voice strings.

Regarding claim 5, applicants note that Goldhor's teaching does not relate to typing field

words into a form field in response to words spoken by the user, but to capitalizing various

letters of a string generated by a voice recognition system (page 9, lines 17-22). The examiner

disagrees, because Goldhor discloses the placing—*typing*-- of recognized speech words into a

form document (col.1, lines 26-45, and col.3, lines 4-24), just as recited in this claim.

Finally, applicants state that since Uppaluru requires a user profile, authentication and

limits the web pages to be accessed, the combination of Uppaluru, and Goldhor together or

separate does not provide the features of this invention (page 9, lines 23-page 10, line). In this

instance, applicants are referring to the invention in general terms, and do not specify how

Uppaluru fails to teach the claimed invention.

Therefore, in view of the considerations above, claims 1-16 remain rejected.

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

I.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543 ((571) 272-**

2148 as of 10/12/04). The examiner can normally be reached on Monday through Friday from

8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Stephen Hong, can be reached on (703) 308-5465 ((571) 272-4124 as of 10/12/04). However, in

such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

Or faxed to:

- **(703) 703-872-9306**, (for **all** Formal communications intended for entry)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).**

CESAR B PAULA
Patent Examiner
Art Unit 2178

9/8/04